

DOCKET: FIS9-2001-0180US1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:	N. Brandon et al.)	EXAMINER:	Hir, J.P.
SERIAL NO.:	09/881,820)	ART UNIT:	2121
FILING DATE:	June 15, 2001)	DATE:	
FOR:	Method for Designing a Knowledge Portal)		

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DECLARATION UNDER RULE 131 OF JAY ANDERSON

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Jay Anderson, do hereby declare as follows:

1. I am a patent attorney for International Business Machines Corporation ("IBM"), the assignee of the above-identified patent application, and have overall responsibility for the preparation and prosecution of the subject application.

2. This is a declaration under the provisions of 37 CFR § 1.131 for the purpose of swearing back of a reference that was cited in the subject application. This declaration references an invention disclosure showing conception of this invention in this country prior to the April 26, 2001 filing date of Shetty U.S. Patent Publication No. US 2003/0084011 A1 cited against this application, and due diligence from a time prior to that date until the application was filed.

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3. The attached invention disclosure (the "Disclosure") was submitted to me by Michael A Limanni, one of the named co-inventors of the instant application, prior to April 26, 2001, the reference date of the Shetty patent publication. The Disclosure is dated prior to April 26, 2001, but actual dates and material not pertinent to conception of the invention have been redacted in view of their confidential nature.

4. Prior to April 26, 2001, I ordered a search to be made to determine the patentability of the invention disclosed in the Disclosure. I received the results of the search prior to April 26, 2001.

5. Between a time just prior to April 26, 2001 and May 9, 2001, I reviewed the aforementioned search results and prepared draft claims for a patent application to be filed on the invention of the Disclosure.

6. Because of my backlog of patent application, prosecution and other work, I decided to send this application to an outside law firm to prepare the application for filing with the U.S. Patent and Trademark Office as soon as reasonably possible, and more quickly than I could have done so.

7. On May 9, 2001, I called Peter Peterson, a partner in the law firm of DeLio & Peterson, LLC in New Haven Connecticut and a firm that IBM had used previously for this technology, to determine whether his firm could prepare and file the application in an expeditious manner. After receiving an indication that the application could be filed in approximately one month, I sent the Disclosure and my draft claims to Atty. Peterson and instructed him to prepare the patent application.

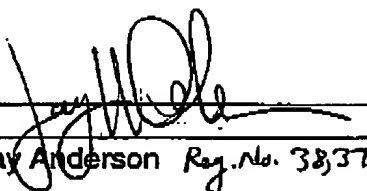
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8. On May 14, 2001, my administrative assistant sent to Atty. Peterson details of the inventorship of the subject application.

9. On Wednesday, May 30, 2001, I received a draft of the patent application for the claimed invention by facsimile from Atty. Peterson.

10. Between May 30, 2001 and June 14, 2001, I maintained periodic contact with Atty. Peterson regarding the status of the subject patent application. On June 14, 2001, I spoke by telephone with Atty. Peterson and Mr. Limanni regarding further revisions to the draft patent application. I then approved filing of the subject application with the USPTO on June 15, 2001.

11. I declare further that all statements made herein on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under §1001 of the Title XVIII of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.


Name: Jay Anderson Reg. No. 38,371 Date: 23 July 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: _____ Date: _____ Signature: _____
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